

DOCKET NO. 148379
Serial No. 10/803,620
Response to Restriction Requirement

PATENT

Remarks/Election

Claims 1-30 are in the case. Claim 31 is withdrawn from consideration.


The courtesies extended by Examiner Ricardo Palabrica on April 5, 2005 in granting a telephone interview with attorney for Applicant, Brian L. Belles, are noted with appreciation. During the interview, Mr. Belles informally elected Invention I, which is drawn to claims 1-30. The interview was also helpful in understanding the species restriction set forth in paragraph 2 of the Office Action. It was agreed that claim 17 would be amended to remove the language of "or another weldable metal," and that this amendment would moot the species restriction.

Regarding paragraph 1 of the Office Action, Applicant agrees with the restriction requirement because the apparatus of claims 1-30 can be used to store any and all types of high level waste. For the record, the scope of claims 1-30 is intended to encompass apparatus used to store high level waste. It is requested that the scope of the claims be interpreted accordingly. Claim 31 is withdrawn from consideration.

Regarding paragraph 2 of the Office Action, it is stated that "if invention I elected, Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species of the support blocks for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable (e.g., see claim 17). According to the agreement reached during the interview, claim 17 is amended to remove the term "or another weldable metal."

Respectfully Submitted,

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Brian L. Belles
Reg. No. 51,322
Cozen and O'Connor
1900 Market Street
Philadelphia, PA 19103
(215) 665-7244

BLB/kf